IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

WP(C).No. 17300 of 2004(H)

PETITIONER:

MATHAI, S/O.VARKEY, KORECHAL HOUSE,
MATTATHUR VILLAGE, MUKUNDAPURAM TALUK.

BY ADV. SRI.T.N.MANOJ
SRI.DINESH R.SHENOY

RESPONDENTS:

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1. THE INSPECTOR GENERAL OF REGISTRATION,
KERALA, TRIVANDRUM.

2. THE DISTRICT REGISTRAR, THRISSUR.

3. THE SUB REGISTRAR, O/O.SUB REGISTRAR,
KODALY.

BY GOVERNMENT PLEADER SHRI. MOHAMMED PUZHAKARA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P(C) 17300/04

EXT.P1: TRUE PHOTOCOPY OF THE WILL PREPARED BY THE LICENSED DOCUMENT WRITER DT. 19.4.2004

EXT.P2: -DO- OF THE REPLY LETTER DT. 21.5.2004 SEND BY THE 3RD RESPONDENT

EXT.P3: -DO- OF THE CIRCULAR DT. 12.2.2001 ISSUED BY THE 1ST RESPONDENT

EXT.P4: -DO- OF THE PATTA DT. 5.10.2001 ISSUED BY THE SPL. TAHSILDAR, THRISSUR

EXT.P5: -DO- OF THE WILL REGISTERED AS 36.12986 DT. 6.8.1996

EXT.P6: -DO- OF THE ORDER DT. 17.7.2003

EXT.P7: -DO- OF THE ORDER IN C.M.P.NO: 15079/03 IN O.P.NO: 8679/2003 DT. 1.4.2003

EXT.P8: -DO- OF THE WILL BY CHAKKAPPAN REGISTERED BY THE 3RD RESPONDENT DT. 6.8.1986

jj /TRUE COPY/

P.A. TO JUDGE

KURIAN JOSEPH, J.

W.P.(C). NO. 17300 OF 2004

Dated this the 23rd day of November, 2007.

J U D G M E N T

The petitioner approached this Court with certain grievances regarding the conduct of the third respondent in not registering Exhibit P1 Will. There is already a provisional order for registration of Will. The issue is covered in favour of the petitioner by a decision of this Court in ***Ishaq vs. Sub Registrar*** **(2002(1) KLT 330)**. Therefore, registration as per the provisional order shall be treated as regular registration.

This writ petition is allowed.

KURIAN JOSEPH, JUDGE.

smp